

84-214-A PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 to permit a tennis court in the side yard instead of the required rear one-third of the lot farthest removed from both streets.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Address
City and State
Signature
Address
City and State
Attorney's Telephone No.:
Address
Phone No.

Legal Owner(s):
Howard Weiss
(Type or Print Name)
Signature
Donna Weiss
(Type or Print Name)
Signature
1 Spring Briar Lane 484-6178
Address
Baltimore, Maryland 21208
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Same as above
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of December, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 28th day of February, 1984, at 10:30 o'clock A.M.

Cal J...
Zoning Commissioner of Baltimore County.

(over)

Mr. & Mrs. Howard Weiss
1 Spring Briar Lane
Baltimore, Md. 21208

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 27th day of December, 1983.

ARNOLD JABLON
Zoning Commissioner

Petitioner Howard Weiss, et ux
Petitioner's Attorney

Received by: Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SE Corner of Spring Briar La. : OF BALTIMORE COUNTY
& Old Court Rd., (1 Spring :
Briar Lane), 3rd District :
HOWARD WEISS, et ux, : Case No. 84-214-A
Petitioners :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel For Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 7th day of February, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Howard Weiss, 1 Spring Briar Lane, Baltimore, MD 21208, Petitioners.

Phyllis Cole Friedman
Phyllis Cole Friedman

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 16, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

ofo
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Howard Weiss
1 Spring Briar Lane
Baltimore, Maryland 21208

Re: Item No. 155 - Case No. 84-214-A
Petitioners - Howard Weiss, et ux
Variance Petition

Dear Mr. & Mrs. Weiss:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

At the time of this writing, the comments from the Health Department were not available. However, it was verbally indicated to me that the size of the tennis court would have to be decreased because of the location of the septic tank. This matter should be fully discussed at the scheduled hearing.

In addition, the reasons for your variance request should be stated in the petition forms.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:aj
Enclosures

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 16, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Howard Weiss, et ux - 84-214-A

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

February 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #155 (1983-1984)
Property Owner: Howard Weiss, et ux
5/2 corner Old Court Rd. and Spring Briar La.
Acres: 166.7/124.77 X 307.7/249.91
District: 3rd

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Old Court Road (Md. 133) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

Baltimore County highway and utility improvements are not directly involved.

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 155 (1983-1984).

Very truly yours,
Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EAM:PWR:iss

O-NW Key Sheet 35 & 36 NW 14 Pos. Sheets
NW 9 D Topo 68 Tax Map

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

February 9, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 151, 152, 153, 154, 155, 156, and 157 ZAC-Meeting of December 27, 1983
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 151, 152, 153, 154, 155, 156, and 157.

Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/cem

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



YEO JAMES JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

January 18, 1984

Dear Mr. Jablon:

Comments on Item # 155 Zoning Advisory Committee Meeting are as follows:

Property Owner: Howard Weiss, et ux
Location: SE/Cor. Old Court Road and Spring Briar Lane
Existing Zoning: D-1
Proposed Zoning: Variance to permit a tennis court in the side yard in lieu of the required rear one-third of the lot farthest removed from both streets

Acres: 166.7/124.77 x 307.7/249.91
District: 3rd

The items checked below are applicable:

(A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 and other applicable codes.

(B) A building/structure shall be required before beginning construction.

(C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

(D) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

(E) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, Item 2, Section 1107 and Table 1102, also Section 502.2.

(F) Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____.

(G) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

(H) Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham, Chief
Plans Review

CHE:ms

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 155, Zoning Advisory Committee Meeting of Dec. 27, 1983

Property Owner: Howard Weiss, et ux

Location: SE/Cor. Old Court Road District 3

Water Supply: private Sewage Disposal: private

COMMENTS ARE AS FOLLOWS:

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

() Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

() A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

() A permit to construct from the Division of Air Pollution Control is required for any charcoal operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

2/28 84-214-A

RE: PETITION FOR VARIANCE
SE/corner of Spring Briar La. and Old Court Rd. (1 Spring Briar La.) - 3rd Election District
Howard Weiss, et ux - Petitioners
NO. 84-214-A (Item No. 155)
BALTIMORE COUNTY

Pursuant to the advertisement, posting of property, and the petitioner's failure to appear at the public hearing, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 8th day of March, 1984, that said petition be and the same is hereby DISMISSED with prejudice.

Jean M.H. Jung
Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE March 8, 1984
BY Mary Conroy (clerk)

Zoning Item # 155
Page 2

() Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.

() Soil percolation tests have been conducted.
{ } The results are valid until _____
{ } Revised plans must be submitted prior to approval of the percolation tests.

() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.

() All roads and parking areas should be surfaced with a dustless, bonding material.

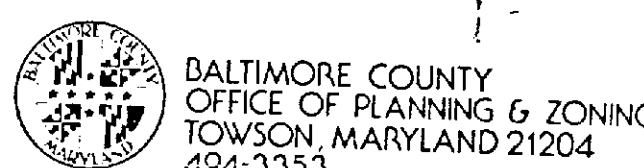
() No health hazards are anticipated.

(X) Others: Existing well appears in satisfactory condition. However, the sewage disposal system is operating on a marginal basis and failure is imminent. Based on the plot plan and field investigation, the Baltimore County Dept. of Health cannot approve the zoning variance due to imminent area available for connection to the sewage disposal system.

Owner has been notified of this information.

Jean M.H. Jung
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)



ARNOLD JABLON
ZONING COMMISSIONER

March 8, 1984

Mr. and Mrs. Howard Weiss
1 Spring Briar Lane
Baltimore, Maryland 21208

Dear Mr. and Mrs. Weiss:

I have this date passed my Order in the above captioned matter in accordance with the attached.

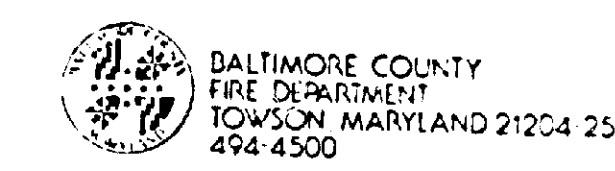
Very truly yours,

Jean M.H. Jung
JAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: People's Counsel



PAUL H. REMKE
CHIEF

February 14, 1984

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodori, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Howard Weiss, et ux

Location: SE/Cor. Old Court Road and Spring Briar Lane

Item No.: 155

Zoning Agenda: Meeting of 12/27/83

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] 2/15/84 Noted and Approved: [Signature] 2/15/84
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb
84-214-A
2/28

PETITION FOR VARIANCE

3rd Election District

ZONING: Petition for Variance

LOCATION: Southeast corner of Spring Briar Lane and Old Court Road (1 Spring Briar Lane)

DATE & TIME: Tuesday, February 28, 1984 at 10:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit an accessory structure (a tennis court) in the side yard instead of the required rear one-third of the lot farthest removed from both streets

Being the property of Howard Weiss, et ux, as shown on plat plan filed with the Zoning Department.

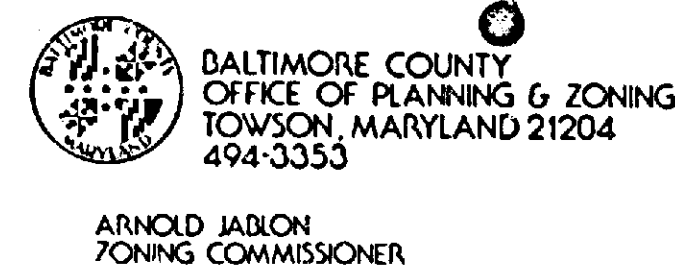
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ZONING DESCRIPTION

Beginning on the Southeast corner of the intersection of Old Court Road and Spring Briar Lane, property being known as #1 Spring Briar Lane, Baltimore County, Maryland. Also known as Lot 2, as shown on the REVISED PLAT OF OLD COURT GARDENS, which plat is recorded among the Land Records of Baltimore County in Plat Book W.J.R. 27, Folio 77.

Election District 03
Precinct 09
Legislative District 12
Congressional District 2



Mr. & Mrs. Howard Weiss
1 Spring Briar Lane
Baltimore, Maryland 21202

February 21, 1984

Re: Petition for Variance
SE/cor. Spring Briar Lane & Old Court Rd. (1 Spring Briar Lane)
Howard Weiss, et ux - Petitioners
Case No. 84-214-A

Dear Mr. & Mrs. Weiss:

This is to advise you that \$43.00 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 126873

DATE: 2/28/84 ACCOUNT: R-01-615-000

AMOUNT: \$43.00

RECEIVED: Howard D. Weiss
FOR: Advertising & Posting Case #84-214-A

C 052*****35010 266A

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: Bld Date of Posting: 2-10-84

Posted for: Variance

Petitioner: Howard Weiss et ux

Location of property: SE/cor. of Spring Briar Lane and Old Court Road

Location of Sign: SE/cor. of Spring Briar Lane and Old Court Road

Remarks: See Certificate

Posted by: [Signature] Date of return: 2-17-84

Number of Signs: 1

Mr. & Mrs. Howard Weiss
1 Spring Briar Lane
Baltimore, Maryland 21202

NOTICE OF HEARING

Re: Petition for Variance
SE/cor. of Spring Briar Lane and Old Court Road (1 Spring Briar Lane)
Howard Weiss, et ux - Petitioners
Case No. 84-214-A

TIME: 10:30 A.M.

DATE: Tuesday, February 28, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 124011

DATE: 12/12/83 ACCOUNT: 01-615-000

AMOUNT: \$35.00

RECEIVED: Robert E. Kuhn
FOR: Filing Fee for Case #84-214-A

C 042*****35010 2142A

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 2, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 28th day of February, 1984, the 28th publication appearing on the 28th day of February, 1984.

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$18.00

CERTIFICATE OF PUBLICATION 52410

Pikesville, Md., Feb. 8, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 28th day of Feb. 1984

the first publication appearing on the 8th day of Feb. 1984

the second publication appearing on the day of 1984

the third publication appearing on the day of 1984

THE NORTHWEST STAR

Manager

Cost of Advertisement \$20.00

LEGAL NOTICE

PETITION FOR VARIANCE

3rd Election District

ZONING DEPARTMENT OF BALTIMORE COUNTY

LOCATION: Southeast corner of Spring Briar Lane and Old Court Road (1 Spring Briar Lane)

DATE & TIME: Tuesday, February 28, 1984 at 10:30 A.M.

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the above petition for variance.

It is noted that this Petition is granted, in whole or in part, within the time specified in the Zoning Ordinance, and the Zoning Commission will hold a public hearing on the petition for variance during the period for public hearing. Such hearing must be held in writing by the date of the hearing and shall be held at the time and place specified above or at such other time and place as may be determined by the Zoning Commission.

BY ORDER OF ARNOLD JANUARY, Zoning Commissioner of Baltimore County

Plat showing property known as #1 Spring Briar Lane, Baltimore County, Md. Also known as Lot 2, as shown on the REVISED PLAT OF OLD COURT GARDENS which plat is recorded among the Land Records of Baltimore County in Plat Book W.J.R. 27, Folio 77.

